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MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALSJUDICIAL COUNCIL  
OF THE NINTH CIRCUITIN RE COMPLAINT OF  
JUDICIAL MISCONDUCT

No. 12-90077

## ORDER

**KOZINSKI**, Chief Judge:

Complainant, a pro se litigant, alleges that a district judge erroneously dismissed her habeas case. Complainant's allegations relate directly to the merits of the judge's rulings and must therefore be dismissed. See 28 U.S.C.

§ 352(b)(1)(A)(ii); In re Charge of Judicial Misconduct, 685 F.2d 1226, 1227 (9th Cir. Jud. Council 1982); Judicial-Conduct Rule 11(c)(1)(B).

Complainant also alleges that the district judge displayed hostility toward her in two court orders. But the orders show no sign of hostility. Adverse rulings don't prove hostility, and complainant offers no other evidence to support her claims. This charge must be dismissed as unfounded. See In re Complaint of Judicial Misconduct, 583 F.3d 598, 598 (9th Cir. 2009); see also 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

Complainant further alleges that the judge "passed around" her case, improperly transferring it to a new magistrate judge. Our circuit has held that an individual "has no right to any particular procedure for the selection of the judge"

and is only “entitled to have that decision made in a manner free from bias or the desire to influence the outcome of the proceedings.” Cruz v. Abbate, 812 F.2d 571, 574 (9th Cir. 1987). Complainant offers no evidence that the case was assigned to the magistrate judge for an improper reason. This charge must also be dismissed. See In re Complaint of Judicial Misconduct, 632 F.3d 1287, 1288 (9th Cir. Jud. Council 2011).

Complainant also claims that the district judge is mentally disabled, but provides no evidence of any disability. This allegation must be dismissed as unfounded. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

Finally, complainant’s requests that her case be transferred and that objections be filed to the court’s rulings are not forms of relief available under the misconduct complaint procedure. See 28 U.S.C. § 354(a)(2); Judicial-Conduct Rule 11(a); In re Complaint of Judicial Misconduct, 630 F.3d 1262, 1262 (9th Cir. Jud. Council 2011).

**DISMISSED.**